

UNITED STATES DISTRICT COURT

for

WESTERN DISTRICT OF TEXAS

FILED
2014 OCT 28 PM 2:00
WESTERN DISTRICT OF TEXAS
BY: [Signature]

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Leon Jones Case Number: SA-07-CR-067(1)-XRName of Sentencing Judicial Officer: Honorable Xavier Rodriguez, United States District JudgeDate of Original Sentence: July 20, 2007Original Offense: Possession of a Firearm by a Person Convicted of a Misdemeanor Crime of Domestic Violence, in violation of 18 U.S.C. § 922(g)(9)Original Sentence: 36 months custody followed by 3 years supervised release and a \$100 special assessment.Type of Supervision: Supervised Release Date Supervision Commenced: July 29, 2014 (2nd term)Assistant U.S. Attorney: Michael R. Hardy Defense Attorney: Kurt G. May

PREVIOUS COURT ACTION

Modification of Conditions: On May 17, 2012, the Court ordered the issuance of a warrant based on a new arrest for Felon in Possession of a Firearm, failure to submit a truthful and complete written report, failure to follow the instructions of his probation officer, and associating with a person engaged in a criminal activity. On July 13, 2012, a records check confirmed the aforementioned criminal charge was dismissed because there was no affirmative link between the defendant and the weapon. On August 1, 2012, the Court recalled the warrant issued on May 17, 2012, and modified the offender's conditions to include a curfew, six (6) months electronic monitoring, alcohol abstinence, and no association with those involved individuals involved in his arrest. The offender was released from custody on August 8, 2012.

Revocation: On March 28, 2013, the Court ordered the issuance of a warrant after the offender tested positive twice for cocaine. The offender reported to the probation office on April 9, 2013, and was placed into custody. On May 28, 2013, the offender was revoked and re-sentenced to eighteen (18) months imprisonment to be followed by an eighteen (18) month term of supervised release.

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1. Mandatory Condition No. 1: The defendant shall not commit another federal, state, or local crime during the term of supervision.

According to SAPD incident report no. 2014-183257, on August 20, 2014, SAPD officers on patrol at the 5900 block of Lake Pine, in San Antonio, Texas, were flagged down by the victim, Catina Latoy Franklin, as she was walking home. Upon questioning, the victim advised officers that Leon Jones had come to her home and pointed a gun at her screaming, "Bitch get in the car. You're going to take me where I want to go." The victim stated she started screaming, and Jones pushed her to the ground. During the struggle, Jones bit the victim on her right wrist. The victim got up, and Jones, still pointing the gun at her, instructed her to get in the car. The victim was forced into the passenger seat, and Jones got in the driver's seat and drove off. They had not gone far when Jones realized he did not have his cell phone and returned to the home. At that time, the victim jumped out of the car and ran to a neighbor's house to call 911. Jones fled the scene, and a warrant was subsequently issued for his arrest. On September 17, 2014, Jones was arrested for the offense of Aggravated Assault with Deadly Weapon (Gun). Jones was released later the same day on a \$10,000 bond.

According to SAPD incident report no. 2014-235251, on October 22, 2014, SAPD officers responded to a call located at the 2900 block of Lakeland, in San Antonio, Texas. Upon arrival, officers observed a vehicle with a shattered windshield and damage to the trailing arms. Upon questioning, the victim, Catina Latoy Franklin, advised officers that her estranged spouse, Leon Jones, caused the damages. The victim stated she heard a loud noise and went outside. She observed Jones running towards his vehicle, which was parked on the street near her residence. She got into her vehicle and "chased" Jones to the highway. Afterwards, she returned home and called the police. She later received text messages from Jones acknowledging the offense. SAPD subsequently charged Jones with Criminal Mischief \$500 to \$5,000, and the investigation remains pending.

According to SAPD incident report no. 2014-236224, on October 23, 2014, SAPD officers responded to a call located at the 2900 block of Lakeland, in San Antonio, Texas. Upon arrival, SAPD officers met with three victims, Catina Latoy Franklin, age 41 (victim 1), and her two daughters, Sharae M. Allen, age 23, and Tyquisha Latoi Perkins, age 22 (victims 2 and 3, respectively), all of whom were outside the residence. It should be noted that Allen and Perkins are daughters to Franklin, and have no relationship to Leon Jones. When questioned by SAPD officers, Ms. Franklin stated Jones, who does not reside at the residence, had arrived earlier in the morning and forced his way into her residence by bending the burglar bars on the front door with a brick and tearing off the screen. Once inside the residence, Jones threw the brick at Allen, almost hitting her in the head. Franklin and her daughters were able to force Jones back outside. In the process, Franklin sustained injury to her right calf. Once outside, Jones took Allen's cell phone, and used another brick to break the windshield on three different vehicles belonging to the victims. While fleeing from the location, Jones dropped his wallet and identification. SAPD officers completed the initial investigation and left the scene to drive around the subdivision. SAPD officers soon observed Jones back in front of the residence. He was arrested for Criminal Mischief \$1,500-\$20,000, Theft \$500 to \$1,500, and Burglary of Habitation with Intent to Commit Assault. Jones was released later the same day on a \$10,000 bond, a \$3,000 bond, and a \$20,000 bond, respectively.

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2. **Mandatory Condition No. 2: The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.**

The offender tested positive for the following drugs on the following dates:

<u>DATE:</u>	<u>DRUG:</u>
09/23/2014	Cocaine. The offender admitted to the use of cocaine on October 3, 2014.

The offender submitted specimens for testing on August 29, 2014, and September 8, 2014, both of which were negative, but diluted. In addition, the offender failed to appear for a scheduled drug test on October 3, 2014.

U.S. Probation Officer Recommendation:

Jones began his second term of supervised release on July 29, 2014, and is scheduled to expire on January 28, 2016.

Leon Jones has a Criminal History Category of VI with prior convictions for Theft \$20-\$200, Unauthorized Use of a Motor Vehicle, Evading Arrest (2), Resisting Arrest, and Possession of Marijuana 0 to 2 oz. (3). The presentence report notes a significant history of substance abuse, to include use of marijuana, ecstasy, Xanax, cocaine and alcohol.

An initial Post Conviction Risk Assessment (PCRA) conducted on August 27, 2014, revealed Jones to be in the High risk category, with dynamic risk factors of cognitions, social networks and alcohol/drugs. If appropriate risk factors are effectively addressed, these failure rates decline in subsequent time periods. In an effort to address his risk factors, Jones was referred to drug treatment at Lifetime Recovery on August 27, 2014, to participate in cognitive behavioral group counseling and individual substance abuse counseling with urine surveillance, and his social networks were monitored by monthly U.S. Probation officer contact, unannounced home visits, and employment verification.

Jones has had the opportunity to benefit from substance abuse treatment services with the U.S. Probation Office and State Parole. Yet, he has continued to use cocaine, and reports of his conduct have become increasingly violent. Due to his continued drug abuse while being provided treatment, his new law violations, and his serious criminal history, it is respectfully requested a warrant be issued for his arrest.

Date _____